

REMARKS

Claims 1-19 are all the claims pending in the application.

Claims 5, 13, and 18 have been amended to recite the transitional phrase “consist essentially of.”

No new matter has been added.

I. REJECTION UNDER 35 U.S.C. § 102

The final Office Action contains a single rejection. Specifically, Claims 1-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Nos. 5,527,649 or 5,718,992 (referred to collectively as “Sato”). US ‘992 is a division/continuation of US ‘649, such that each contains essentially the same disclosure. A reference herein to columns and line numbers of “Sato” should be considered a reference to US ‘649.

Applicants respectfully traverse the rejection.

The combination of (i) a film thickness of 0.9 μm or less and (ii) an optical density of 3.3 or more, as recited in the present independent claims, cannot be achieved with the light-shielding layers of Sato, such that the combination of (i) and (ii) is not disclosed (either expressly or inherently) or suggested by Sato.

In the final Office Action mailed December 27, 2005, the examiner states at Section No. 3 (page 3) that “the end points of the range for the thickness of the layer are 0.3 and 5 microns, therefore the reference specifically contemplates a layer having a thickness as small as 0.3 microns which meets the instant claim limitations.”

However, although Sato may generally mention or “contemplate” a layer thickness range of from 0.3 to 5 μm , Sato does not disclose or suggest that layers at the lower end of its thickness range and falling within the presently claimed thickness (*i.e.*, 0.9 μm or less) have an optical density of 3.3 or more, as presently claimed.

For example, each of the light-shielding layers of Sato's Examples has a thickness far outside the presently claimed range.

As additional evidence, Applicants are submitting herewith a Declaration Under 37 C.F.R. § 1.132 executed by co-inventor Akira Hatakeyama. Mr. Hatakeyama's Declaration contains results from experiments showing that a light-shielding layer prepared using a light-shielding layer coating solution according to Sato (Y-7 from column 16 of Sato), and having a thickness within the presently claimed range of 0.9 μm or less, does not possess an optical density falling within the presently claimed range of 3.3 or more.

For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the §102 rejection of Claims 1-19.

Embodiments specifically encompassed by dependent Claims 5, 13, and 18 are even further removed from the disclosures and teachings of Sato.

Sato uses a carbon black as an essential component, whereas in embodiments of the claimed light-shielding layer, the metal particles consist essentially of at least one selected from the group consisting of nickel, silver, gold, platinum, copper and alloys thereof.

For example, as shown at Tables 1 and 2 in the specification, Applicants used Ag as a black pigment to obtain a light-shielding layer having a film thickness of 0.8 μm and an optical density of 3.6 in Examples 1-1, 1-2, 2-1, and 2-2. On the other hand, in Comparative Examples 2-1 and 2-2 at Table 1, a carbon black was used as the black pigment (as in Sato) to form light-shielding layers having optical densities of 3.6 and 1.5, respectively, when the film thicknesses were 1.8 and 0.8 μm , respectively.

Thus, as shown in the Comparative Examples, when carbon black is used as a main component, large film thicknesses are necessary to obtain a high shielding property, optical density and the like. In particular, the Comparative Examples show that the thickness of a light-shielding layer using a carbon black only must necessarily increase to a thickness outside the presently claimed range in order to obtain a light-shielding layer having an optical density within the presently claimed range.

AMENDMENT
U.S. Appln. No. 10/825,627

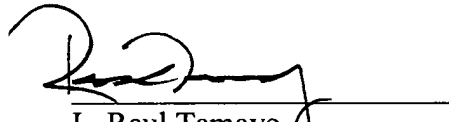
Furthermore, the Examples of Sato show that a light-shielding layer obtained by a coating solution (Y-7) using a carbon black as a black pigment has a film thickness of 2 μm and an optical density of 3.30. Accordingly, it is understood by those having ordinary skill in the art that a light-shielding layer having a film thickness of 0.9 μm or less and an optical density of 3.3 or more cannot be obtained with the light-shielding layers of Sato.

II. CONCLUSION

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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